

REMARKS

In the final Office Action mailed August 22, 2006, the Examiner noted that claims 1-19, 22-25 and 28-41 were pending for reconsideration, allowed claims 1-11, 14-19, 22-25 and 28-41, and rejected claims 12 and 13. Claims 20, 21, 26 and 27 have been withdrawn from consideration. Claims 1-19, 22-25 and 28-41 remain pending for reconsideration which is requested. No claims have been amended. No new matter has been added. The Examiner's rejections are traversed below.

Page 2 of the Office Action rejects claims 12 and 13 under 35 U.S.C. § 103 over Hanrahan alone or over Hanrahan with Kuklin.

As to the combination of Hanrahan with Kuklin, the Examiner is requested to note that Kuklin is about a metal stamp for use in stamping a "car wheel". Kuklin is not even remotely related to "painting a brush texture map of a brush directly onto a texture map of a surface of the area of the displayed parametric object in the three dimensional or higher space" as recited in claim 12. Kuklin is not in an analogous art. Withdrawal of the rejection of claims 12 and 13 over Hanrahan with Kuklin is respectfully requested.

As to the rejection based on Hanrahan alone, as noted by the Examiner, Hanrahan discusses is a tangent space brush that has 2D characteristics and "fails to specifically disclose that the brush is volumetric". As acknowledged by the Examiner on page 3 of the Action "to act as a 3D brush", the 2D brush of Hanrahan must be "mapped onto a surface." This reinforces the acknowledgement that the Hanrahan brush is in fact not a "volumetric brush" (claim 12) and acknowledges that something else is needed to make the Hanrahan brush act as one. Based on this, the Examiner argues that the volumetric brush feature of claim 12 would be obvious. It is submitted that it would not, as discussed below.

First, there is no teaching or suggestion in Hanrahan that the 2D tangent brush have volumetric characteristics without some action by the user or by something else, such as an automatic mapping process that projects the brush or some 3D motion of the brush by the user and Hanrahan teaches or suggests no such automatic projection process. A volumetric brush does not need such a mapping and needs no such user motion since when applied to a model paints a volume because it is volumetric. Withdrawal of the rejection for this reason is requested.

Even if some sort of automatic mapping were taught by Hanrahan, there is no teaching or suggestion about where the mapping should stop when the brush is mapped. Does the

mapping map to infinity? There is no teaching or suggestion in Hanrahan about where to stop. A volumetric brush (claim 12) because it inherently has a volume has such limits on where to stop. Withdrawal of the rejection for this additional reason is requested.

The Examiner points to particular parts of Hanrahan ("abstract and paragraph 3 of col. 2 of pages 215 & 217") for its alleged teachings about "painting ... based on brush orientations that minimize a distortion of **a painted texture** when displayed on the surface" (emphasis added). The text noted by the Examiner says nothing about brush orientations that minimize distortion of painted texture when displayed on the surface. Withdrawal of the rejection for this further reason is requested.

Claim 12 calls for "painting a brush texture map of a brush **directly** onto a texture map of a surface" using the volumetric brush (emphasis added). Hanrahan does not teach or suggest such but, as the Examiner acknowledges and according to the interpretation of Hanrahan by the Examiner, Hanrahan requires that any Hanrahan brush that is to act like a volumetric brush does not paint directly but must be mapped or projected to have the effect of the claimed volumetric brush. Withdrawal of the rejection for this further additional reason is requested.

Claim 13 specifically emphasizes that when the brush is "cylindrical" it has a "defined depth". There is no teaching or suggestion in Hanrahan of a cylindrical shaped volumetric brush much less one that had a defined depth. The Examiner does not point to any part of Hanrahan that teaches or suggests these features. Withdrawal of the rejection for this reason is requested.

Additionally, it appears, as can be understood from the discussion above, that the Examiner is using hindsight to interpret the discussion of Hanrahan in light of the disclosure of the present application.

Withdrawal of the rejection of claims 12 and 13 over Hanrahan is requested.

It is submitted that claims 1-11, 14-19, 22-25 and 28-41 continue to be allowable. It is further submitted that the claims 12 and 13 are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

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If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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